IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 26392 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BIREN BABUBHAI. - Petitioner(s)
Versus
REGIONAL PASSPORT OFFICER. - Respondent(s)

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Appearance :
MR RM PARMAR for Petitioner(s) : 1,
DS AFF.NOT FILED (R) for Respondent(s) : 1,
MS KN VALIKARIMWALA for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE AKSHAY H.MEHTA

Date : 28/03/2007

ORAL JUDGMENT

In this petition the sole grievance that has been made by the petitioner is that though he has applied for the issuance of passport to the

respondent – authority and he has also supplied the relevant papers to it, no decision on his application is till taken and he has not been issued the passport. In the affidavit-in-reply the respondent has averred that there are certain discrepancies in the information supplied to it by the petitioner and in particular in the birth date.

I have heard Mr. RM Parmar, learned advocate for petitioner and Miss Valikarimwala, Ld. Addl. Central Govt. Standing Counsel for respondent. It is submitted by Mr. Parmar that despite repeated requests, the respondent has not acted upon his application and he, therefore, submits that appropriate direction be given to respondent to decide his application. As against that, Miss Valikarimwala has submitted that in view of the discrepancy in his birth date he has been summoned to explain the same, but he has not remained present. In view of the same, Mr. Parmar has now stated that he will apply afresh and also furnish to respondent all the necessary correct information and upon the petitioner doing so, the respondent authority be directed to take decision thereon as early as possible. To this Miss Valikarimwala has no objection. In view of the same, the petitioner is now directed to furnish fresh application together with all the necessary information to the respondent – authority within 15 days from the date of this judgment and upon receiving such application together with all the relevant material, the respondent – authority will decide it as early as possible.

With this direction, the petition is partly allowed. Rule made absolute to aforesaid extent.

[Akshay H Mehta, J.]

* Pansala.